

## **REMARKS**

### Status of the Claims

Claims 22-36 are pending. Claims 22-34 are amended.

No new matter is added in the above amendment. Claim 1 has been amended to correct a typographical error. The remaining amended claims were amended to adjust dependency.

### Issues Under 35 U.S.C. §112

Claims 23-34 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. The basis of this rejection is apparently dependency issues in the claims. The above amendment corrects said dependency issues. Accordingly, in view of the amendment, this rejection is believed to be moot.

### Issues Under 35 U.S.C. §102

Claims 22-36 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Japanese Patent No. JP20021222718. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested.

Applicants' note that on page 3 of the Office Action, the Examiner refers to the outer dimension of the groove being shown in the Japanese citation by reference "W" in Figure 1. Applicant's respectfully submit that this analysis is incorrect because the groove does not relate to the fixed member, but relates to the arrangement which is around the elongate member. It appears from a reading of the Office Action that the

Office is interpreting the difference in dimension of the fixed member and of the opening “W” is of a lesser dimension than the inner dimension “D.” Thus, the Office Action indicates that the axial length of the peripheral groove in the prior art is fixed. However, this is not the case.

Applicant’s respectfully submit that Figure 1 in the prior art would be viewed as disclosing a fixed member 11 having a slot leading to an opening defined by the length of “W.” As can be seen in Figures 1 and 2, the fixed member is received between the leading edge of the collar and the portion indicated by reference numeral 19. The collar 17 is axially moveable against a spring, and as such, retraction of the collar enables the fixed member 11 to locate against the body 19 and the collar then abuts the fixed member thereby clamping it to position.

On the other hand, in the present invention, the load-bearing ring defining two opposed shoulder portions 7a and 7b, functions in that the axial distance between the shoulder portions is fixed. This defines an engagement portion of the abutment body 12. The abutment body is therefore supported axially by the shoulder portion 7a and 7b and the spring loaded collar 1 retains the bracket 8 in an engagement with the abutment body 12.

Accordingly, in the present invention, the axial length of the peripheral groove is fixed. This enables significant support on either side. The collar does not actually support the restraint of the fixed member and as such, the assemble forces and the axial load rating are independent of one another. The axial load that the abutment can resist is not therefore dependent upon the strength of the spring on the collar and is therefore

capable of sustaining sufficiently increased axial loads. This is a clear advantage over the cited prior art, which fails to disclose or suggest at least this feature.

In order to anticipate a claim, each and every element as set forth in the claim must be described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, the identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

At least in the view of the differences above, it cannot be said that the prior art meets the requirements for anticipation.

Accordingly, the Examiner is respectfully requested to withdraw this rejection.

#### Petition for Extension of Time

Pursuant to the provisions of 37 C.F.R. §§ 1.17, 1.136(a), the Applicants hereby petition for an extension of time of three (3) months to May 12, 2009 for the period in which to file this amendment. The required fee was submitted electronically herewith.

The Commissioner is authorized to charge any additional fees or credit any overpayment coincident to this Request to Deposit Account 50-2752.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Myers, Jr.", with a stylized flourish at the end.

Richard S. Myers, Jr.  
Registration No. 42,022  
STITES & HARBISON  
401 Commerce Street, Ste 800  
Nashville, TN 37219  
615-782-2333  
Attorneys for Applicant